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747

SUPPLEMENT TO

The Mysore Gazette.

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BANGALORE, THURSDAY, OCTOBER 10, 1918.

Abstract Proceedings of the Mysore Legislative Council.

The Council met in the Public Offices Buildings, Bangalore, on Tuesday the 17th September 1918, at 12 noon.

PRESENT.

SIR M. VISVESWARAYA, B.A., L.C.E., M.INST.C.E., K.C.I.E., Dewan (Presiding).

Ex-officio Members.

1. RAJASEVADHURINA M. KANTARAJ URS, ESQ., B.A., C.S.I., First Member of Council.
2. A. R. BANERJI, ESQ., M.A., I.C.S., C.I.E., Second Member of Council.
3. P. RAGHAVENDRA RAO, ESQ., B.A., B.L., Extra Member of Council.

Additional Members.

Official.

1. RAJAMANTRAPRAVINA DEWAN BAHADUR J. S. CHAKRAVARTI, ESQ., M.A., F.R.A.S.
2. K. R. SRINIVASA IYENGAR, ESQ., M.A.
3. C. S. BALASUNDARAM IYER, ESQ., B.A.
4. S. CADAMBI, ESQ., B.A., L.C.E.
5. K. CHANDY, ESQ., B.A.
6. C. R. REDDY, ESQ., M.A.

748

Non-official.

1. RAJASABHABHUSHANA DEWAN BAHADUR K. P. PUTTANNA CHETTY, ESQ., C.I.E.
2. M. BASAVA IYA, ESQ., B.A., B.L.
3. B. NARASINGA RAO, ESQ.
4. KARNICK KRISHNAMURTI RAO, ESQ.
5. C. NARASIMHAIYA, ESQ., B.A., B.L.
6. B. K. GARUDACHAR, ESQ.
7. M. VENKATAKRISHNAIYA, ESQ.
8. B. VENKATASAMANNA, ESQ., B.A., B.L.
9. S. SEETHARAMAIYA, ESQ.
10. RAO SAHEB H. CHENNAIYA, ESQ.

ABSENT.

Official.

1. MIR HUMZA HUSSAIN, ESQ., B.A., B.L.
2. C. S. DORASWAMI IYER, ESQ., B.A., B.L.

Non-official.

1. M. CHENGIAH CHETTY, ESQ., B.A.
2. GULAM AHMED KALAMI, ESQ.

G. SREENIVASA IYER, ESQ., B.A., M.L. (Secretary).

I. SECRETARY'S REPORT.

The Secretary reported to the Council that the Mysore Co-operative Societies Bill received the assent of His Highness the Maharaja on the 4th day of August 1918.

II. INTERPELLATIONS.

1. **Mr. B. Narasinga Rao, asked.**—Will Government be pleased to state—

(*a*) whether they have perused an article published in the *Karnataka* of the 14th August 1918, enumerating the grievances of the graduate Police Inspectors in the State, in the matter of their prospects and promotion ;

(*b*) whether they do not think that the grievances enumerated therein are substantially true ; and

(*c*) whether they will throw open the appointments of Amildars and Special Magistrates for deserving graduate Inspectors as a reward for their good and honest work ?

Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I. replied.—(*a*) Yes.

(*b*) and (*c*) The number of Inspectors on Rs. 100 and above has been increased from 22 to 33 and the question of reserving a certain number of appointments in the Superintendents' grade to deserving Inspectors in the Police Department will receive consideration. Government have only recently and after careful consideration decided to confine the recruitment of Amildars chiefly to the Revenue Department and they see no reason to reconsider that step. As at present advised, they do not consider it desirable to recruit special Magistrates from the Police Department.

2. **Mr. B. Narsinga Rao, asked.**—Will Government be pleased to state—

(*a*) whether it is a fact that one Venkategowda, a Patel in the Hunsur Taluk complained to the higher authorities against the Amildar of that taluk, that the Amildar publicly disgraced him and wrongfully confined him in the lock-up ;

749

(*b*) if true, whether any enquiry has been ordered and, if no such enquiry has been ordered, whether they will institute one and inform the result of the enquiry to this Council ?

Mr. A. R. Banerji, M.A., I.C.S., C.I.E., replied—(*a*) Yes.

(*b*) An enquiry was held under the orders of Government and suitable notice has been taken of the conduct of the Amildar.

3. **Mr. B. Narasinga Rao, asked.**—Will Government be pleased to state—

(*a*) whether there is not a standing order of Government, that when a person in the ministerial staff is appointed a sub-registrar of any grade, such person should be ranked last in the said grade ;

(*b*) whether there are not instances in which, contrary to the rules, persons appointed as sub-registrars from the ministerial staff, are placed above those who are already in the said grade ;

(*c*) if there are instances of the kind, whether such a practice will not create discontent among the sub-registrars already in a particular grade ; and

(*d*) whether they will take steps to remedy the said grievance ?

Mr. A. R. Banerji, M.A., I.C.S., C.I.E., replied—(*a*) The answer is in the negative. Such an order will preclude the recruitment of eligible and qualified men drawing above Rs. 50 in the ministerial establishment as sub-registrars.

(*b*) No person in the ministerial establishment has been appointed lately above others drawing the same or more pay.

(*c*) and (*d*) These questions do not now arise.

4. **Mr. M. Karnick Krishnamurti Rao, asked.**—Will Government be pleased to state—

(*a*) whether their attention has been drawn to an article in the *Mysore Patriot* of 20th August, 1918, pointing out that Mr. Siddaramappa, Economic Superintendent, Shimoga, took prominent part in the inception of the "Nagar Veerasaiva Fund" and collected subscription therefor ;

(*b*) whether it is permissible for an officer of Government to interest himself in collecting subscriptions to serve the communal interests of a particular section ;

(*c*) if it is permissible whether they will issue general orders to all officers intimating that the collection of subscriptions to institutions for the benefit of their respective communities, is not inconsistent with their position as public servants ?

Mr. C. S. Balasundaram Iyer, B.A., replied—(*a*) Yes.

(*b*) The collection of subscriptions by Government officers is subject to the Standing Orders given on pages 85—86 of the Revenue Manual.

(*c*) Government do not consider it necessary to issue any further instructions on the subject.

5. **Mr. Karnick Krishnamurthi Rao, asked.**—Will Government be pleased to state—

(*a*) how much out of Rs. 3,38,614 alleged to have been lent by the Bangalore Central Co-operative Bank, Ltd., during the year 1917-18 has been lent to affiliated societies and how much to individual members ;

(*b*) how much out of the loan of Rs. 7,17,527 outstanding at the end of the year 1917-18, is due from the affiliated societies and how much from the individual members ;

(*c*) whether the practice of lending money to individual members will not frustrate the objects of the Bank ; and

(*d*) whether they will take necessary steps to stop the Bank lending money to individuals as it is necessary to prevent competition with other primary credit societies in the same place, as observed by the learned Extra Member of Council when he moved the introduction of the clause about amalgamation of Co-operative Societies at the last meeting of the Council ?

Mr. P. Raghavendra Rao, B.A., B.L., replied.—

(*a*) Amount lent to societies is Rs. 99,337.

Amount lent to individuals is Rs. 2,39,277.

7 G0

(*b*) Amount outstanding against societies during 1917-18 is Rs. 4,53,199.

Amount outstanding against individuals during 1917-18 is Rs. 3,01,408.

(*c*) and (*d*) Government do not consider any such steps necessary at present. The Central Bank grants loans to individual members only when there is no demand for loans from societies. The loans to individuals are made out of the surplus funds of the Bank after meeting all the demands of the societies and no society is reported to have so far suffered on account of this practice.

Mr. M. Karnick Krishnamurthi Rao again asked—As it is understood that no other Central Co-operative Bank in India s allowed to work on these lines, will Government be pleased to appoint a committee consisting of a few independent Co-operators to enquire into the working of the institutions and suggest on what lines it may be improved.

Mr. B. Narasinga Rao.—We have not had previous notice of this question.

Mr. M. Karnick Krishnamuati Rao.—It is not necessary to give previous notice for a supplementary question.

Dewan.—Under rule 17 of the Rules for asking questions, Government are not now prepared to answer the question, without notice. This may be put as a fresh question at a subsequent meeting of the council.

6. Mr. M. Karnick Krishnamurti Rao asked.—Will Government be pleased to state—

(*a*) how many graduates and double graduates are employed as non-gazetted officers in the Secretariat, and the Revenue, Police, Registration, Judicial, Education and other departments of the State:

(*b*) what their prospects of promotion in their respective departments are, and

(*c*) whether, with a view to equalise such chances as far as practicable, due provisions will be made for the promotion of qualified and efficient graduates in all departments according to a time scale?

Mr. C. S. Balasundaram Iyer, B.A., replied.—(*a*) and (*b*) Departmental establishment lists which will give information under (*a*) and (*b*) will be called for and furnished to the member.

(*c*) There is already provision in existing rules which seems sufficient for the promotion of qualified and efficient men in the public service.

7. Mr. B. Venkatasamanna, B.A., B.L., asked.—Will Government be pleased to state—

(*a*) in what taluks grain compensation allowance was given in the Chitaldrug District;

(*b*) what the reasons were for the denial of the same in the other taluks;

(*c*) what the prevailing rates of prices of foodstuffs are in those taluks and since how long those prices have been prevailing in those places, and

(*d*) whether they will extend the concession to other taluks?

Rajamantrapravina Dewan Bahadur, Mr. J. S. Chakravarti, M.A., F.R.A.S., replied.—(*a*) In the Chitaldrug District grain compensation allowance has been sanctioned in the following taluks and sub-taluks:—

June 1918.

1. Challakere, 2. Molakalmuru, and Harihar Sub-Taluk.

July 1918.

1. Molakalmuru.

August 1918.

1. Davangere, 2. Molakalmuru, 3. Jagalur and 4. Harihar Sub-Taluk.

Copies of the Government Order sanctioning the allowance were published in the Gazette of the 25th July, 1st August and 22nd August.

(*b*) For purposes of granting grain compensation allowance, ragi is taken as the staple food and the allowance is granted to the employees of those taluks in which

ragi has been selling at less than 12 seers per rupee. The rule of calculation is as follows:—

The average for the past 5 weeks going back from the second week of the month for which the allowance is due, is taken and the allowance is sanctioned in those cases where the average thus calculated is less than 12 seers per rupee. In the taluks in which grain compensation allowance was not sanctioned, the average was more favourable than 12 seers per rupee.

(*c*) The rates are published in the Gazette every week by the Revenue Commissioner.

(*d*) The grant of grain compensation allowance will be extended to all taluks when it becomes admissible under the rules.

8. **Mr. B. Venkatasamanna, B.A., B.L,, asked.**—Will Government be pleased to state—

(*a*) whether the prohibition of export of foodstuffs has effected any reduction of prices;

(*b*) whether the Food Controller has taken immediate steps to check the abnormal rise in prices;

(*c*) whether they will include Italian millet also under the category of foodstuffs prohibited from export ; and

(*d*) whether they will take under control the vast stored-up grain to prevent undue profiteering ?

Mr. P. Raghavendra Rao, B.A., B.L., replied.—(*a*) Export of foodstuffs has not been absolutely prohibited but the traffic in some articles has been brought under control. This control is expected to check undue inflation of prices in course of time.

(*b*) Steps have been taken to check the rise in the price of fuel in the Bangalore City and that of kerosene oil throughout the State and the maximum price has been fixed at which ragi may be sold wholesale in the Bangalore and Tumkur Districts. The price of food grains in Mysore has risen in sympathy with the general rise in other parts of India and elsewhere and is being watched by Government.

(*c*) Navane (*i.e.,* Italian millet) will be included among the grains the traffic in which has been brought under control.

(*d*) Government have no present intention of taking over stocks of food grains.

9. **Mr. B. Venkatasamanna, B.A., B.L., asked.**—Will Government be pleased to state—

(*a*) what steps have been taken to meet the scarcity of fodder in the State; and

(*b*) whether they will throw open the State Forests for grazing purposes after the recovery of a nominal hulbanni?

Mr. A. R. Banerji, M.A., I.C.S., C.I.E., replied.—(*a*) and (*b*) State Forests have been thrown open for free grazing in districts in which scarcity of fodder has been reported. Date leaves are also being allowed to be cut and removed according to the rules prescribed in that behalf. Orders have issued for the grant of tank beds for the cultivation of quick growing fodder crops.

A Bill to extend the Period of the Present Additional Members of the Legislative Council.

Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.—SIR, I beg to move that leave be granted to introduce a Bill to extend the period of the present additional members of the Legislative Council. The term of the members of the Legislative Council was recently, as you are aware, extended from two to three years, and the Regulation was accordingly amended. In moving the introduction of that Bill in this Council, I said "under the present system, the members of the Representative Assembly are elected once in three years, and the members of the Legislative Council once in two years. In order to avoid the anomaly of an elected member continuing as a member of the Legislative Council, even though he might cease to be a member of the Representative Assembly, this Bill is introduced." The term of the then existing

members was extended till 1st November 1918, on the belief that the election of the members of the Representative Assembly would take place before that date.

Meanwhile, the electorate to the Representative Assembly has been broadened and the election to that Assembly has been postponed till next year. So long as the term of the members of the Legislative Council, does not synchronise as far as possible with that of the Representative Assembly members generally, the object mentioned above will not be achieved. Hence it is considered necessary to postpone the elections and nominations to the Legislative Council till next year and the Bill has accordingly been framed. It consists of only one section and reads thus:—"Notwithstanding anything contained in the Mysore Legislative Council Regulation, 1907, as amended by Regulation IX of 1917, the period of appointment of the existing additional members of the Council shall be deemed to continue till and to cease on, 1st November 1919."

Mr. C. S. Balasundaram Iyer, B.A.—I beg to second the motion.

Mr. M. Karnick Krishnamurthi Rao.—SIR,—With reference to this motion my chief objection is one of principle, and that is that it has the effect of continuing on the Council members who might have lost touch with, or the confidence of, those who elected them. Next, I do not see why all the elected members should take their seats and vacate it at one and the same time. As Representative Assembly members can stand for election from the districts also, gentlemen may get elected by both sets of electors at the same time, in which case there will have to be an additional election soon after for one or other of the seats as no one can occupy two seats. Or again it may be that a gentleman who is not able to get elected from the Assembly commands greater confidence with the district electors or *vice versa*. If both elections are held at the same time he will have probably to wait for three years before he can get a chance to stand again. I do not therefore think that there is any harm in making the terms of the two sets of elected members begin and end at different times or on different dates. This objection may somewhat be met by providing that one set of elections should be taken up only after the results of the other are published. I am sure that none of us here wants to stick on when public men commanding more confidence from the electors wish to enter the Council. I beg therefore to urge for the consideration of Government and this Council whether it will not be sufficient if provision is made simply for the members to be elected by this year's Representative Assembly holding their seats in the Council for only one year, *i.e.*, till November 1919. But I do not want myself to move any amendment to the motion. At the last meeting when the non-official members of this Council merely requested that the Co-operative Societies Bill might be once more considered by the Select Committee, the request was refused on the plea that the measure was 'urgent' as two societies were 'anxious to amalgamate.' Again some of the amendments proposed by me at that meeting could not even be put to vote for want of a seconder, as it was thought that non-official members seconding a motion should give reasons for doing so. We non-official members do not all live together and have no conveniences to meet and consult each other beforehand and I could not, in the short time I had at my disposal, go about explaining my views and canvassing for a seconder. I therefore beg that if my views are acceptable, Government may themselves be kindly pleased to amend the motion suitably.

Mr. B. Narasinga Rao.—Sir, When I read the agenda two days ago I thought that this Bill would not be the subject of any controversy and I expected no discordant note about it, specially from the non-official members of this Council. As the unexpected sometimes happens, Mr. Karnick Krishnamurthi Rao, has raised an objection to it on two grounds. He said that the members here, who were then elected, might have lost touch with their constituents or lost their confidence, and that this Bill would enable them to continue in spite of that. If the elected members have lost touch or have lost confidence nothing prevented the constituencies to press the member to resign his place, and any member who has got any self-respect will do so at once. The second thing is that no member will care to stick on.

As so explicitly put by the First Member, this is only a measure to be consistent with the existing state of things. Last year when the Legislative Council Regulation was amended, the term was specially extended to three years mainly with a view to make the term co-extensive with the Representative Assembly. It was not in the minds of the Government that the franchise of the Representative Assembly and their term should be extended to enable the authorities to get the list of voters. It is only when the term of the members was extended in the last Assembly that it was thought neces-

sary to extend the term of the members of the Legislative Council, simply with a view to be consistent with the Regulation that was passed a year ago. Otherwise the very object with which the Regulation was amended last year would become futile and the anomaly that the amended Regulation was intended to avoid would be perpetuated. I may submit to this Council that I was one of those who moved in the matter and brought to the notice of the Government the defect and requested them to consider over the question. In these circumstances, the objection from Mr. Krishnamurti Rao comes to me as a surprise and I do not think that any member would share that objection.

The motion was put to vote and passed.

Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.—SIR,—I beg to move that the rules of business be suspended to allow the Bill being read in Council, considered and passed.

Mr. C. S. Balasundaram Iyer, B.A.—I beg to second the motion.

The motion was put to vote and carried.

Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.—SIR,—I beg to move that the Bill be read in Council and considered.

Mr. C. S. Balasundaram Iyer, B.A.—I beg to second the motion.

The motion was put to vote and passed.

Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.—SIR,—I beg to move that the Bill be passed.

Mr. C. S. Balasundaram Iyer, B.A.—I beg to second the motion.

The motion was put to vote and passed.

A Bill further to amend the Mysore Legal Practitioners Regulation.

Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.—SIR,—The question of revising the classification and qualification of Legal Practitioners in the State has been the subject of representation in the Representative Assembly for the last few years. The several proposals were referred to the Chief Court for opinion and when their suggestions were received, the Local Service Examination Board were also consulted in the matter. On a careful consideration of all the aspects of the case, Government passed their orders dated 22nd October 1917, which was published also in the Gazette. The Chief Court were requested to favour Government with amendments to the existing law to give effect to the above decision of Government.

The important alterations made under the Government order are that there should hereafter be only one grade of pleaders corresponding to the present first grade, that after two years from the date of the order, no fresh candidates should be enrolled as second grade pleaders and that the present second grade pleaders and those to be hereafter enrolled as such during the two years will continue to have the same privileges which they now possess.

The Bill now framed follows the draft of the Chief Court, and is intended to give effect to the above decision of Government.

I request that leave be granted to introduce the Bill.

Mr. B. Narasinga Rao.—In the absence of my esteemed friend Mr. C. S. Doraswami Iyer, I beg to second the motion.

The motion was put to vote and carried.

The Mysore Steam Boilers and Prime Movers Bill.

Mr. P. Raghavendra Rao, B.A., B.L.—SIR,—At the time I asked for the permission of this Council to introduce the Bill, I stated in detail the necessity for such a piece of legislation and draft copies of the Bill are now before the Members of Council. So it does not appear to be necessary to have it read here. I beg to move therefore that it may be taken as read in Council.

Mr. C. S. Balasundaram Iyer, B.A.—I beg to second the motion.

The motion was put to vote and passed.

Mr. P. Raghavendra Rao, B.A., B.L.—I beg to move that the Bill be referred to a Select Committee consisting of Messrs. S. Cadambi, C. S. Doraswami Iyer, Gulam Ahmed Kalami, B. K. Garudachar and myself.

Mr. C. S. Balasundaram Iyer, B.A.—I beg to second the motion. The motion was put to vote and passed.

Bill further to amend the Mysore Excise Regulation, 1901.

Mr. A. R. Banerji, M.A., I.C.S., C.I.E.—Last March when I moved for leave being granted to introduce this measure I gave a brief history of Excise legislation in this State and explained how the law here required further changes to bring it into line with the several improvements that have been effected in the Excise administration of the Madras Presidency which we so closely follow. To refresh our memories, with your permission, Sir, I shall quote an extract from the speech that I made on that occasion "The Excise Committee appointed by the Government of India in 1905, to report on the Excise administration of each Province and to suggest such alterations as may be deemed desirable in view of local conditions, has recommended among other matters, that provisions for the control of denatured spirit should be inserted in the Local Excise Regulations and that when the amendment of the Regulation for this purpose was in hand, opportunity should be taken in each Province to carry out any further amendments which might be deemed advisable." I also pointed out at the time that the most important innovation that is proposed to be introduced in this amended Regulation is a provision for the constitution of Advisory Boards for fixing the number and location of shops and I explained that while in the Madras Presidency such a provision is intended to be carried out by executive orders, here in Mysore we want to give it a statutory place. The Government have no doubt that this innovation will appeal to all the non-official members of this Council. The Objects and Reasons attached to the Draft Bill which now has been placed in the hands of the members explain in detail all the alterations in the present enactment and as every one of them will be carefully subjected to the scrutiny of the Select Committee I do not wish to take the time of this Council by referring to them in detail. With these remarks, I beg to move that the Bill further to amend the Mysore Excise Regulation, 1901, be read in Council.

Mr. K. Chandy, B.A.—I beg to second the motion.

The motion was put to vote and passed.

Mr. A. R. Banerji, M.A., I.C.S., C.I.E.—I beg to move that the Bill be referred to a Select Committee consisting of Messrs. K. Chandy, C. S. Dorasawmi Iyer, B. Narasinga Rao, B. K. Garudachar, H. Chennaiya and myself.

Mr. K. Chandy, B.A.—I beg to second the motion.

The motion was put to vote and carried.

Bill further to amend the Mysore Village Courts Regulation.

Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.—SIR, I beg to move that the Bill further to amend the Mysore Village Courts Regulation be read in Council. The Council granted me leave to introduce the Bill on the last occasion when I explained the necessity for the Bill. The Bill with the statement of objects and reasons has been published, and I believe copies have been sent to all the members by the Secretary. There are only two points on which the Bill proposes to amend the Regulation. One refers to the provision for inspection of the Village Courts by the officers of the Revenue Department not below the rank of Amildars and the other to the clause empowering Government to make rules for certain matters not expressly provided for in the Regulation.

I move that the Bill be read in Council.

Mr. C. S. Balasundaram Iyer, B.A.—I beg to second the motion.

The motion was put to vote and carried.

Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.—I beg to move that the Bill be referred to a Select Committee consisting of Messrs. K. R. Srinivasa Iyengar, Mir Humza Hussain, H. Chennaiya, C. Narasimhaiya and myself.

Mr. C. S. Balasundaram Iyer, B.A.—I beg to second the motion.

The motion was put to vote and passed.

Bill further to amend the Indian Evidence Act.

Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.—SIR,—I beg to move that the Bill further to amend the Indian Evidence Act be passed. The Bill is a very short one providing for proof of wills by probates granted by the Courts of the Civil and Military Station, Bangalore, and of the State. The Bill has passed through all the stages, and the Select Committee have also approved of it. It only now remains for me to move that the Bill be passed.

Mr. B. Narasinga Rao.—I beg to second the motion.

The motion was put to vote and passed.

The meeting was then adjourned *sine die*.

By Order,

G. SREENIVASA IYER,

Secretary, Mysore Legislative Council.